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Proposed programme budget for the biennium 2008-2009

Elimination of racism and racial discrimination: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Programme budget implications of draft resolution A/C.3/62/L.65/Rev.1, as orally revised

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Introduction

1. At its 54th meeting, on 28 November 2007, the Third Committee adopted draft resolution A/C.3/62/L.65/Rev.1, as orally revised, by a recorded vote. The Committee had before it a statement of programme budget implications (A/C.3/62/L.90) and also heard an oral statement of programme budget implications, in which the Secretariat informed the Committee that the programme budget implications of draft resolution A/C.3/62/L.65/Rev.1 were similar to those of draft resolution A/C.3/62/L.65, as set out in document A/C.3/62/L.90.

2. In his report on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its resumed second session, its third session and its third special session in 2006 (A/61/530/Add.1), the Secretary-General informed the General Assembly that under the terms of Human Rights Council resolution 3/2, the Council would act as Preparatory Committee for the Durban Review Conference, that it was estimated that the requirements to support the preparatory process would be absorbed in the provisions of the programme

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budget for the biennium 2006-2007 and that the estimated requirements for the biennium 2008-2009 would be considered in the context of the proposed programme budget for the biennium 2008-2009.

II. Requests contained in the draft resolution

3. Under the terms of operative paragraphs 38, 46, 50 and 53 of draft resolution A/C.3/62/L.65/Rev.1, as orally revised, the General Assembly, would:

(a) Request the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action;

(b) Request the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit a report to the Assembly at its sixty-third session;

(c) Welcome the report of the Preparatory Committee for the Durban Review Conference on its organizational session and underline that the Preparatory Committee should, at its first substantive session, in accordance with its decision PC.1/14, discuss, inter alia, the organization of the work of the Durban Review Conference and other matters, including the allocation of funding from the regular budget of the United Nations for the convening of the Conference in 2009;

(d) Request the Secretary-General to allocate adequate funding from the regular budget of the United Nations for expenses not covered in Preparatory Committee decision PC.1/12, to facilitate the participation of all the relevant special procedures and mechanisms of the Human Rights Council in the meetings of the Preparatory Committee and regional preparatory conferences.

III. Overall estimated additional requirements

4. The overall estimated additional requirements and potential for absorption, by section, are detailed in the table below:

(United States dollars)

Budget section	*Estimated requirements 2008-2009*	*Potential for absorption*	*Preliminary net requirement*
2. General Assembly and Economic and Social Council affairs and conference management	5 149 000	(253 100)	4 895 900
23. Human rights	1 898 800	—	1 898 800
28E. Administration, Geneva	13 800	(13 800)	—
Total	**7 061 600**	**(266,900)**	**6 794 700**

IV. Activities by which the proposed requests would be carried out and additional requirements by programme budget section

5. The requirements relating to operative paragraphs 38 and 46 of the draft resolution would be met within the provisions in the proposed programme budget for the biennium 2008-2009 to support the bodies mentioned therein and the Special Rapporteur.

6. However, with regard to operative paragraphs 50 and 53 of the draft resolution, it is estimated that additional resources would arise for the following:

(a) Conference services for the open-ended intergovernmental working group to follow up the work of the Preparatory Committee, review additional written contributions and report thereon to the Preparatory Committee, in line with its decision PC.1/10, which would be endorsed by the General Assembly through the adoption of draft resolution A/C.3/62/L.66 ($1,632,500);

(b) Additional support staff to service the intersessional working group ($837,000);

(c) Conference services for the regional preparatory conferences, including interpretation and documentation, travel and daily subsistence allowance of interpreters and Secretariat support staff ($3,270,300);

(d) Travel requirements for the participation of all relevant special procedures and mechanisms of the Human Rights Council in the meetings of the Preparatory Committee and regional preparatory conferences ($825,100);

(e) The holding of the first substantive session of the Preparatory Committee in April and May 2008, in line with its decision PC.1/15, as this represents a deviation from the terms of paragraph 2 of Human Rights Council resolution 3/2, by which the Council decided that the Preparatory Committee would hold two substantive sessions of 10 working days each during 2007 and 2008 in Geneva ($260,000);

(f) Travel requirements for staff to service the meetings of the regional preparatory conferences ($236,700).

7. It should be noted that the Preparatory Committee intends to elaborate further on the date, duration and level of participation to ensure a smooth and successful Conference. It should also be noted that the issue of regional preparatory meetings and other aspects of the preparatory process for the Durban Review Conference remain under discussion and negotiation among the Member States.

8. In the statement of programme budget implications contained in document A/C.3/62/L.90 and the oral statement of programme budget implications in relation to draft resolution A/C.3/62/L.65/Rev.1, as orally revised, the Third Committee was informed that in accordance with established practice a full review would be carried out and recommendations would be made on the level of the additional appropriations to be sought or the absorptive capacity in the proposed programme budget for the biennium 2008-2009. As reflected in the table in paragraph 4 above, it is currently estimated that additional requirements of $7.1 million would arise, while the preliminary estimate presented in document A/C.3/62/L.90 was

approximately $7.2 million. The Secretariat wishes to inform the General Assembly that the estimates are preliminary, as consultations with all relevant implementing offices are still ongoing, including those referred to in paragraph 7 above.

9. In addition to the estimated requirements from the regular budget, it is estimated that travel requirements of approximately $804,100 for representatives from the least developed countries and representatives of national human rights institutions and non-governmental organizations, especially those from developing countries of the region where a regional conference is being held, in accordance with Preparatory Committee decision PC.1/12, will be funded from available extrabudgetary resources.

10. With regard to operative paragraph 46 of the draft resolution, the Third Committee's attention was drawn to the provisions of section VI of General Assembly resolution 45/248 B, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters, and also reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

V. Contingency fund

11. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditure derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditures were proposed that exceeded the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

12. The Secretariat has reviewed the proposed programme of work under sections 2, 23 and 28E of the proposed programme budget for the biennium 2008-2009. It is considered that estimated requirements of $266,900 under the terms of the draft resolution relating to (a) conference services for the open-ended intergovernmental working group, as indicated in paragraph 6 (a) above, under section 28E ($6,900), and (b) the holding of the first substantive session of the Preparatory Committee in April and May 2008, as indicated in paragraph 6 (e) above, under section 2 ($253,100) and section 28E ($6,900), can be met within the provisions of the proposed programme budget for the biennium 2008-2009. The balance of the additional requirements ($6,794,700) is considered to be beyond the absorptive capacities of the provisions proposed under sections 2 and 23.

13. The adoption by the General Assembly of the draft resolution would therefore entail additional resources of up to $6,794,700 under the proposed programme budget for the biennium 2008-2009, including $4,895,900 under section 2, General Assembly and Economic and Social Council affairs and conference management, and $1,898,800 under section 23, Human rights. It is proposed that the additional requirements represent a charge against the contingency fund and, as such, would require additional appropriations under the proposed programme budget for the biennium 2008-2009 to be approved by the General Assembly.

14. It is not possible at this stage to identify activities within sections 2 and 23 of the proposed programme budget for the biennium 2008-2009 that could be terminated, deferred, curtailed or modified during the biennium in order to meet the additional requirements.

VI. Actions required of the General Assembly

15. Accordingly, should the General Assembly adopt draft resolution A/C.3/62/L.65/Rev.1, preliminary additional resources of up to $6,794,700 for the biennium 2008-2009 would be required, over and above the level of resources in the proposed programme budget for the biennium 2008-2009 under sections 2 and 23, representing a charge against the contingency fund. The requirements by budget section would be as follows:

(a) An increase of $4,895,900 under section 2, General Assembly and Economic and Social Council affairs and conference management;

(b) An increase of $1,898,800 under section 23, Human rights.

16. The General Assembly is requested at this time to take note of the preliminary estimates above. Upon the conclusion of discussions and negotiations and the determination of the structure of the Durban Review Conference, including the regional preparatory meetings, detailed information on financial implications will be submitted.